

FISCAL NOTE

HB 3976 – SB 4102

February 22, 2008

SUMMARY OF BILL: Requires local governments having a policy to place an employee on leave after an arrest to implement a back-pay policy for employees against whom charges are dropped or the employee is found not guilty.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures* – Exceeds \$50,000

Assumptions:

- The number of local governments who have such a policy cannot reasonably be determined.
- Although this circumstance will arise in a limited number of cases, the period of leave will typically be six months to one year. The lost salary and benefits for one employee, depending on position, could exceed \$25,000. Two cases state-wide in one year would exceed \$50,000.
- It is assumed that there will be at least two cases state-wide each year in which back pay will be provided that would not have occurred under current law.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/kmc